IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 7773 OF 2005

Parasnath R. Singh ...

Applicant

Versus

State of Maharashtra ...Respondent

Mr. M.K. Kocharekar with Mr. Mukesh Subramanium for the applicant.
Smt. A.S. Pai, Additional Public Prosecutor, for the State

CORAM: **KSHITIJ R. VYAS, C.J.**
DATE: **APRIL 07, 2006**.

P.C.

Heard learned counsel for the applicant and the learned Additional Public Prosecutor.

2. The applicant has filed this application under Section 439 of the Code of Criminal Procedure for anticipatory bail. It may be stated that an unsuccessful attempt has been made by the applicant to get anticipatory bail from the Additional Sessions Judge, Khed, who by his order dated 29th July, 2005, has rejected the application for anticipatory bail by giving cogent reasons. I am in agreement with the reasons of

the learned Additional Sessions Judge.

3. In my opinion, the custodial interrogation of the applicant is necessary as this is a case of evasion of sales tax to the tune of Rs. 3.9 crores. The alleged transaction of preparing fake and false documents for the purpose of evading sales tax are required to be thoroughly investigated. The fact that after the order dated 29th July, 2005 passed by the Additional Sessions Judge, Khed, the applicant has not made himself available for interrogation and, therefore, an inference can be drawn that he is avoiding arrest.

4. In view of above, I see no reason to grant this application. The application is accordingly rejected. The applicant shall surrender to Khed Police Station on or before 14th April, 2006.

CHIEF JUSTICE